

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GEORGE MARK TUGGLE,)	
)	
Plaintiff,)	
)	Civil Action File
v.)	
)	No. 1:06-CV-272-ODE
VICTOR HILL,)	
)	
Defendant.)	

AFFIDAVIT OF A. LEE PARKS

COMES NOW A. Lee Parks of the law firm of Parks, Chesin & Walbert, P.C., counsel for the Plaintiff in the above-referenced matter, who came before the undersigned officer duly authorized to administer oaths and, after being duly sworn, states the following based upon his personal knowledge.

1.

My name is A. Lee Parks. I give this affidavit for use in this case for all the purposes allowed by law. I am an attorney licensed to practice law in the State of Georgia, and am counsel of record for the Plaintiff in the above-referenced matter. I have practiced civil rights law based in Atlanta, Georgia since June 1977. I have thirty-one (31) years of continuous full-time experience in civil rights litigation.

2.

I graduated from Emory University Law School in 1977. While in law school, I served on the Board of Editors for the Emory Law Journal and was a Director of the Emory Moot Court Society. I have published two legal articles on constitutional law related subjects: 25 Emory Law Journal 983 (1976); and 16 Georgia State Bar Journal 129 (1980). I am a regular speaker at seminars involving constitutional law, particularly in matters involving litigation under 42 U.S.C. §1983. I have been counsel to Plaintiffs in numerous cases involving the First and Fourth Amendments.

3.

I am admitted to practice before all state trial and appellate courts in Georgia, the United States District Court for the Northern District of Georgia, the United States Court of Appeals for the Eleventh Circuit and the United States Supreme Court. I have served as lead counsel and presented oral argument successfully in two constitutional law cases decided by the United States Supreme Court wherein my clients prevailed. See Miller v. Johnson, 515 U.S. 900 (1995) and Abrams v. Johnson, 521 U.S. 74 (1997).

4.

I am the senior partner within my law firm, Parks, Chesin & Walbert, P.C. I have specialized expertise in all matters related to federal constitutional law. I have been lead counsel in over five hundred Section 1983 cases. I have extensive experience litigating against the governmental bodies. See e.g., Rogers v. Medical Ass. of Ga., 244 Ga. 151, 259 S.E.2d 85 (1979) (statutory delegation of governor's appointment powers to private association held unconstitutional); Miller v. Johnson, 515 U.S. 900 (1995) (legislation establishing congressional districts held unconstitutional); Abrams v. Johnson, 521 U.S. 74 (1997); Able v. Wilkins, (South Carolina's redistricting plan for its House of Representatives held unconstitutional) and Smith v. Beasley, (South Carolina Senate districts held unconstitutional); Smith v. Beasley, 946 F.Supp. 1174 (D.S.C. 1997). I regularly consult with attorneys across the nation who are involved in constitutional cases of all kinds, and am considered to be an expert in this specialized area of the law.

5.

I believe I possess as much, if not more, experience with bringing constitutional challenges against government officials than any other attorney in this state. My reputation is built on that experience and the success I have enjoyed in the

many years I and my law firm have been on the cutting edge of constitutional law issues.

6.

I initially served as Plaintiff's lead counsel in this case. My partner, William J. Atkins, assumed that role upon his withdrawal from our law firm in 2008 to start his own practice. Thereafter, our firm limited its involvement, mindful of the need to insure efficiency since that would be the touchstone of any subsequent petition for attorneys fees where two law firms represent one plaintiff.

7.

My standard hourly rate for clients who pay on a monthly basis is currently \$375.00 to \$425.00 per hour. I have, on occasion, reduced that hourly rate for business clients promising substantial amounts of work on an ongoing basis rather than being retained to represent a client in a particular case.

8.

I am currently able to fill all my available time with hourly work. However, I continue to devote significant time to cases taken on a contingent basis in reliance upon the various fee shifting statutes which permit the Court to award a full fee in cases where the plaintiff is the prevailing party. Due to the complexity of these

matters, and the risk of not being compensated at all, relatively few attorneys who possess the experience and legal expertise to act as lead counsel will accept § 1983 cases on contingency. Given the importance of these cases not only to the clients, but to society in general, it is critical lawyers with the requisite skill and expertise work on these cases. That, in turn, depends on the availability of fully compensatory fee awards.

9.

In a recent fee award in the United States District Court for the Northern District of Georgia (Baverman, J., affirmed by Pannell, J.) a § 1983 case, I was awarded fees based on an hourly rate of \$375 in a § 1983 case. *See; Viridi v. DeKalb County School District, et al.*, Civil Action File No. 1:97-CV-3485-CAP (Order dated 2/08/2008). That is a conservative hourly rate for my time in this case, and it is the rate I have used for this fee petition.

10.

An itemized statement of all time and expenses incurred in the case by myself and other attorney's employed by my firm at the time the services were rendered, including Mr. Atkins' prior to his departure, is attached as Exhibit "A". This time begins with the inception of the case, goes through discovery, motions for summary

judgment, and defendants' interlocutory appeal of the qualified immunity issue to the Eleventh Circuit Court of Appeals. I have reviewed this statement and it is a true and accurate statement of the attorney time attributable to myself and two other attorneys from my firm, Mr. William Atkins and Mr. Steven Wolfe, who worked on this case, but are no longer with the firm. Eleanor Mixon Attwood, another attorney with our firm who worked on the case, is filing a separate affidavit in support of the fee petition. Additionally, Exhibit "A" is also an accurate statement of the expenses incurred in as a result of this litigation up through the last date of the bill. Additional expenses were incurred by Mr. Atkins. I have exercised billing judgment throughout the case deleting time which I determined did not materially advance Plaintiffs position in this case.

11.

In calculating a fair and reasonable hourly rate for this case, the lodestar rate should be calculated at the highest hourly rate charged by counsel in this market rather than the attorney's lowest hourly rate. If competent and experienced counsel are to continue to accept the great financial and professional risks that are involved in these types of cases, this expertise needs to be acknowledged. In addition, because of my firm's historical involvement in constitutional cases brought under § 1983

against government officials, our attorneys were able to bring to the litigation an intimate knowledge of this specialized area of the law and a good depth understanding with respect to constitutional issues. It would have taken another law firm without that wealth of experience in § 1983 litigation, significantly more time to provide the same services which justifies a higher rather than lower hourly rate within the range the attorney charges hourly clients in this market.

12.

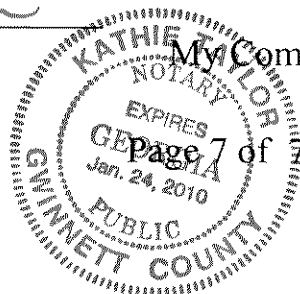
The verdict and judgment in this case constitute an excellent result in the litigation and qualify plaintiffs as a prevailing party entitled to a fully compensatory fee award. The fact the jury did not find defendant liable on the malicious prosecution claim should have no bearing on the fee award since the facts and circumstances relevant to the false arrest claim were wholly interrelated to those necessary to present the malicious prosecution claim.

FURTHER AFFIANT SAYETH NOT.


A. LEE PARKS

Sworn to and subscribed before
me this 2 day of October, 2008.


NOTARY PUBLIC



My Commission expires: 1/24/2010

EXHIBIT A

PARKS, CHESIN & WALBERT, P.C.
 26th Floor, 75 Fourteenth Street
 Atlanta, Georgia 30309
 404/873-8000
 Federal I.D. #58-1180767

Tuggle, George
 132 Blue Glass Drive
 Jefferson GA 30549

Page: 1
 October 01, 2008
 Client No. 3633-053633C
 Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

Draft Statement

Fees

	Rate	Hours	
11/10/05 WJA Telephone conference with Mark Tuggle regarding potential False Arrest claim against Clayton County; Review file regarding same.	290.00	0.30	87.00
SEW Intake call and new case meeting with WJA.	225.00	0.30	67.50
SEW Draft Open Records Act requests to Clayton City Sheriff and D.A.	225.00	0.50	112.50
11/11/05 WJA Initial Consultation with Mark Tuggle regarding False Arrest/Malicious Prosecution versus Clayton County Sheriff's office; Discuss same with DFW and draft introductory.	290.00	1.50	435.00
ALP Review documents; Memorandum to Atkins.	375.00	0.30	112.50
11/15/05 ALP Conference with Atkins regarding false arrest matter.	375.00	0.30	112.50
11/25/05 WJA Review response to Open Records Act from Solicitor's office; Note to EMA regarding same and course of action	290.00	0.20	58.00
12/19/05 ALP Conference with Atkins regarding status.	375.00	0.20	75.00
EMA Draft ante litem notice; begin draft of Complaint.	245.00	0.80	196.00
12/20/05 EMA Draft Complaint.	245.00	1.50	367.50
12/21/05 EMA Complete fact section of Complaint; attempt to locate documents requested under Open Records Act.	245.00	1.70	416.50
12/27/05 EMA Telephone call to Sheriff's office regarding documents requested under Open Records Act.	245.00	0.20	49.00
01/03/06 EMA Review and revise ante litem notice; telephone conference with Sheriff's office regarding Open Records Act request.	245.00	1.00	245.00
01/10/06 WJA Exchange e-mails with ALP regarding status; Meet with EMA regarding status and filing	290.00	0.50	145.00
01/12/06 EMA Review response to Open Records Act request.	245.00	0.30	73.50

Tuggle, George

Page: 2

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
01/26/06 ALP Work on Complaint.	375.00	2.00	750.00
01/30/06 ALP Review Complaint.	375.00	1.00	375.00
WJA Review and revise Complaint	290.00	3.00	870.00
01/31/06 WJA Finalize Complaint	290.00	2.50	725.00
02/01/06 ALP Review/revise Complaint; Conference with Atkins regarding County/insurance/Manders issues.	375.00	1.00	375.00
02/02/06 ALP Continue revision of Complaint.	375.00	1.00	375.00
WJA Finalize Complaint; Meet with ALP to review complaint.	290.00	2.00	580.00
02/03/06 ALP Continue revision of Complaint.	375.00	1.50	562.50
ALP Letter to Chairman Bell regarding notification of carrier; Conference regarding insurance issues.	375.00	0.30	112.50
02/07/06 ALP Final review of Complaint.	375.00	0.40	150.00
02/08/06 ALP Miscellaneous telephone conferences with county regarding filing of Complaint.	375.00	1.00	375.00
02/27/06 EMA Review final complaint.	245.00	0.30	73.50
03/01/06 EMA Draft written discovery.	245.00	0.70	171.50
04/03/06 EMA Draft Joint Preliminary Report and Discovery Plan.	245.00	0.80	196.00
04/04/06 EMA Revise and finalize Joint Preliminary Report and Discovery Plan; draft Plaintiff's Initial Disclosures.	245.00	2.00	490.00
04/06/06 EMA Attend Rule 26(f) conference; revise draft of Joint Preliminary Report and Discovery Plan.	245.00	0.80	196.00
04/17/06 EMA Attorney conference with WJA regarding initial disclosures.	245.00	0.20	49.00
04/19/06 EMA Review of Joint Preliminary Report and Discovery Plan; telephone conference with opposing counsel regarding insurance policy.	245.00	0.50	122.50
04/20/06 EMA Finalize and file Plaintiff's Initial Disclosures.	245.00	0.30	73.50
04/24/06 EMA Draft requests for admission.	245.00	1.00	245.00
WJA Review and respond to e-mail from ALP regarding opposing counsel	290.00	0.20	58.00
04/27/06 WJA Meet with EMA regarding discovery	290.00	0.20	58.00
04/28/06 EMA Attorney conference with WJA regarding discovery drafts.	245.00	0.30	73.50

Tuggle, George

Page: 3

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
04/29/06 EMA Draft third-party requests for production of documents.	245.00	0.50	122.50
05/09/06 EMA Attorney conference with WJA regarding discovery.	245.00	0.20	49.00
05/15/06 EMA Attorney conference with WJA regarding discovery; telephone conference with opposing counsel regarding same.	245.00	0.40	98.00
WJA Meet with EMA regarding discovery	290.00	0.40	116.00
05/17/06 EMA Telephone conference with opposing counsel regarding insurance; attorney conference with WJA regarding same.	245.00	0.30	73.50
05/23/06 EMA Edit written discovery; draft letter to opposing counsel.	245.00	2.90	710.50
05/26/06 EMA Legal research regarding false arrest and malicious prosecution claims.	245.00	1.60	392.00
06/06/06 EMA Revise interrogatories; locate correct address for Georgia Correctional Healthcare.	245.00	2.00	490.00
06/07/06 EMA Continuation of investigation regarding address for Georgia Correctional Healthcare.	245.00	0.50	122.50
06/09/06 EMA Revise and finalize written discovery.	245.00	0.50	122.50
06/21/06 EMA Draft responses to discovery.	245.00	2.00	490.00
06/26/06 WJA Review and revise discovery responses	290.00	0.50	145.00
EMA Review and revise responses to discovery; telephone conference with opposing counsel regarding extension.	245.00	1.20	294.00
06/28/06 WJA Telephone conference with EMA regarding discovery; Review of same	290.00	0.50	145.00
07/03/06 WJA Telephone conference with James Dearing, re: discovery, insurance and facts of case.	290.00	0.50	145.00
WJA Telephone conference with James Dearing regarding discovery, insurance and facts of case	290.00	0.50	145.00
07/14/06 WJA Finalize changes to discovery	290.00	1.00	290.00
07/18/06 WJA Coordinate changes to discovery with AGH	290.00	0.50	145.00
07/30/06 WJA Telephone conference with Mark Tuggle regarding deposition, etc.	290.00	0.20	58.00
07/31/06 WJA Telephone conference with James Dearing's office regarding deposition	290.00	0.10	29.00
WJA Telephone conference with Mark Tuggle regarding deposition postponement	290.00	0.20	58.00

Tuggle, George

Page: 4
October 01, 2008
Client No. 3633-053633C
Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
08/01/06 WJA Review file and set discovery schedule with EMA	290.00	0.30	87.00
08/04/06 EMA Review discovery responses; attorney conference with WJA to discuss extension; telephone conference with opposing counsel regarding same.	245.00	1.30	318.50
08/15/06 EMA Attorney conference with WJA regarding good-faith issues.	245.00	0.30	73.50
08/16/06 WJA Review discovery issues with EMA	290.00	0.50	145.00
08/18/06 EMA Draft motion to extend discovery; telephone call to opposing counsel regarding motion and outstanding documents; attorney conference with WJA to discuss good-faith letter.	245.00	1.30	318.50
08/21/06 EMA Telephone conference with and e-mail to opposing counsel regarding documents.	245.00	0.20	49.00
08/23/06 EMA Telephone conference with opposing counsel regarding requests for production and dates for depositions.	245.00	0.50	122.50
08/24/06 EMA Draft good-faith letter to opposing counsel.	245.00	1.00	245.00
09/18/06 EMA Return telephone call to opposing counsel.	245.00	0.20	49.00
09/20/06 EMA Telephone conference with opposing counsel to discuss dates for depositions; attorney conference with WJA regarding same; locate and discuss GCHC depositions with general counsel.	245.00	0.70	171.50
09/22/06 EMA Review second interrogatories.	245.00	0.30	73.50
09/25/06 EMA Telephone conference with GCHC counsel to discuss interviews; attorney conference with WJA regarding same.	245.00	0.40	98.00
09/26/06 EMA Interview nurse witnesses.	245.00	2.20	539.00
WJA Meet with EMA regarding deposition of Mark Tuggle	290.00	0.20	58.00
09/27/06 EMA Prepare client for deposition; research legal issues; attorney conference with WJA regarding same; conference with opposing counsel; draft requests for production of documents.	245.00	2.70	661.50
WJA Prepare for and defend deposition of Mark Tuggle	290.00	5.00	1,450.00
09/28/06 EMA Telephone calls to GCHC counsel and opposing counsel regarding interview dates; attorney conference with WJA to discuss developments.	245.00	0.60	147.00

Tuggle, George

Page: 5

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
09/29/06 EMA Prepare for depositions.	245.00	4.50	1,102.50
10/02/06 EMA Prepare for and attend Ruth and Antoine depositions; prepare for Walker and Miller depositions.	245.00	6.50	1,592.50
WJA Travel to/from and attend deposition of Pat Ruth	290.00	4.50	1,305.00
10/03/06 EMA Telephone conference with opposing counsel regarding dates for depositions; telephone conference with in-house counsel regarding same; conference with REH regarding subpoena instructions.	245.00	1.00	245.00
WJA Meet with EMA regarding discovery matters	290.00	0.30	87.00
10/06/06 EMA Telephone conference with client; execute subpoenas.	245.00	0.40	98.00
10/09/06 EMA Telephone conference with opposing counsel regarding dates for depositions; prepare for Cassel deposition.	245.00	0.80	196.00
10/10/06 EMA Telephone conference with opposing counsel regarding depositions.	245.00	0.20	49.00
10/11/06 EMA Prepare for and attend deposition of Joanne Borrelli.	245.00	8.00	1,960.00
WJA Travel to/from and attend deposition of Deputy Joann Borelli Sutherland	290.00	8.00	2,320.00
10/12/06 EMA Interview remaining nurses at GCHC; telephone conference with Pamela Everett regarding subpoenas.	245.00	4.20	1,029.00
WJA Discuss nurses' testimony with EMA; Discuss subpoena issue regarding Solicitor and Magistrate Judge	290.00	0.50	145.00
10/13/06 EMA Telephone conference with witness regarding identities of other witnesses.	245.00	0.20	49.00
10/16/06 EMA Telephone call to witness.	245.00	0.20	49.00
10/17/06 EMA Conference with witness regarding witness list; telephone conference with opposing counsel regarding deposition of Victor Hill.	245.00	0.40	98.00
WJA Meet with EMA regarding scheduling deposition of Sheriff Hill	290.00	0.20	58.00
10/18/06 JJD Review file in preparation of responding to discovery.	100.00	1.00	100.00
10/19/06 JJD Read plaintiff's deposition transcript in preparation for responding to discovery	100.00	0.70	70.00
WJA E-mail to EMA regarding deposition of Magistrate Judge	290.00	0.20	58.00

Tuggle, George

Page: 6

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
10/20/06 JJD Telephone call to client regarding discovery responses.	100.00	0.20	20.00
10/24/06 JJD Lengthy telephone calls with client gathering information needed to respond to third interrogatories.	100.00	1.00	100.00
JJD Internet research obtaining correct addresses for medical providers.	100.00	0.30	30.00
JJD Prepare authorization to Gwinnett Consultants in Cardiology.	100.00	0.40	40.00
JJD Prepare authorization to Gwinnett Medical Center for medical records.	100.00	0.40	40.00
JJD Conference with WJA.	100.00	0.50	50.00
JJD Fax authorizations to client for signature.	100.00	0.10	10.00
JJD Telephone call to Gwinnett Medical Center.	100.00	0.20	20.00
EMA Prepare for deposition of Victor Hill.	245.00	2.00	490.00
WJA Prepare for deposition of Sheriff Hill	290.00	3.50	1,015.00
WJA Conference with JJD regarding discovery	290.00	0.50	145.00
10/25/06 JJD Prepare letter to Gwinnett Medical Center requesting medical records.	100.00	0.30	30.00
JJD Prepare letter to Gwinnett Medical Center requesting billing records.	100.00	0.30	30.00
JJD Prepare letter to Gwinnett Consultants in Cardiology requesting medical records and bills.	100.00	0.30	30.00
JJD Begin to draft Plaintiff's responses to third interrogatories.	100.00	1.80	180.00
EMA Prepare for and attend deposition of Victor Hill.	245.00	8.00	1,960.00
WJA Travel to/from and conduct deposition of Sheriff Hill; Meet with EMA to post-deposition strategy; Discuss deposition with Harlan Miller	290.00	10.00	2,900.00
WJA Prepare for deposition of Sheriff Hill	290.00	2.50	725.00
10/26/06 JJD Receipt and review of correspondence from Gwinnett Consultants in Cardiology.	100.00	0.20	20.00
JJD Continue to work on draft responses to third interrogatories.	100.00	1.50	150.00
JJD Telephone calls with client regarding additional information needed for responses.	100.00	0.50	50.00
10/27/06 JJD Prepare authorization to Dr. Murphy; fax same to client.	100.00	0.50	50.00
JJD Finalize responses to third interrogatories.	100.00	0.80	80.00
10/30/06 JJD Telephone call to opposing counsel regarding discovery responses.	100.00	0.20	20.00
JJD Memo to EMA and WJA regarding same.	100.00	0.10	10.00
10/31/06 EMA Telephone call to attorney for witness; schedule depositions; finalize interrogatory responses.	245.00	0.70	171.50
WJA Meet with EMA and telephone conference with opposing counsel regarding depositions	290.00	0.50	145.00

Tuggle, George

Page: 7

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
11/02/06 JJD Letter to Gwinnett Consultants in Cardiology regarding payment of medical records.	100.00	0.30	30.00
11/07/06 JJD Receipt and review of records from Gwinnett Consultants in Cardiology.	100.00	0.20	20.00
JJD Lengthy telephone call to same to arrange phone conference with doctor.	100.00	0.30	30.00
11/08/06 WJA Travel to/from and conduct deposition of Jon Antoine; Conference with JJD regarding Mark Tuggle and damages	290.00	2.80	812.00
EMA Prepared for and attended Antonie deposition	245.00	2.50	612.50
EMA Conference with WJA regarding status and strategy	245.00	0.50	122.50
11/09/06 JJD Conference with WJA regarding medical records and conference call with client.	100.00	0.30	30.00
JJD Telephone call to client regarding phone conference.	100.00	0.20	20.00
JJD Email to WJA regarding same.	100.00	0.10	10.00
JJD Telephone call to opposing counsel regarding deposition of client.	100.00	0.20	20.00
WJA Travel to/from and conduct deposition of Phillip Hanner	290.00	2.00	580.00
11/10/06 JJD Telephone calls to client rescheduling conference call.	100.00	0.30	30.00
JJD Conference call with client and WJA.	100.00	0.50	50.00
WJA Telephone conference with Mark Tuggle and JJD regarding medical damages	290.00	0.50	145.00
11/17/06 EMA Discussed tasks with WJA	245.00	0.30	73.50
11/20/06 EMA Drafted consent motion regarding damages discovery	245.00	0.30	73.50
12/01/06 EMA Return call to client; Discuss tape with WJA & Buechner.	245.00	0.50	122.50
01/04/07 EMA Discussed outstanding discovery issues with WJA and opposing counsel.	245.00	0.30	73.50
01/07/07 WJA Review and confirm Summary Judgment schedule and e-mail to EMA regarding same; Review Defendants' Summary Judgment Brief and Statement of Material Facts	290.00	0.50	145.00
01/08/07 JJD Telephone call to opposing counsel regarding audiotapes; memo to WJA regarding same.	100.00	0.30	30.00
EMA Listen to tape; Email to opposing counsel regarding extension.	245.00	0.40	98.00
01/09/07 EMA Discussed status with client.	245.00	0.20	49.00
WJA Listen to audio tape of telephone message; Meet with EMA regarding Brief, etc.	290.00	0.50	145.00

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
01/17/07 EMA Read Defendant's Motion for Summary Judgment material	245.00	1.40	343.00
01/22/07 WJA Meeting with EMA regarding Summary Judgment Brief	290.00	0.50	145.00
EMA Discussed Summary Judgment strategy with WJA	245.00	0.50	122.50
EMA Read highlight of Plaintiff's deposition	245.00	1.00	245.00
01/23/07 EMA Read deposition; created deposition summary	245.00	5.70	1,396.50
01/25/07 WJA Conference with EMA regarding organizing Brief on Summary Judgment	290.00	0.50	145.00
EMA Conference with WJA to develop fact section and strategy.	245.00	0.50	122.50
01/26/07 EMA Began fact section of Summary Judgment response.	245.00	3.30	808.50
01/29/07 WJA Work with EMA on Response to Motion for Summary Judgment	290.00	2.50	725.00
EMA Finished first draft of statement of fact for Summary Judgment response.	245.00	7.00	1,715.00
01/30/07 WJA Respond to Motion for Summary Judgment	290.00	2.00	580.00
EMA Edited statement of fact	245.00	6.10	1,494.50
01/31/07 WJA Response to Motion for Summary Judgment	290.00	3.00	870.00
02/01/07 WJA Response to Motion for Summary Judgment	290.00	8.00	2,320.00
EMA Legal research for Motion for Summary Judgment response; Collect exhibits; Draft client Affidavit.	245.00	4.70	1,151.50
02/02/07 WJA Response to Motion for Summary Judgment	290.00	9.50	2,755.00
EMA Review and finalize Motion for Summary Judgment response.	245.00	7.00	1,715.00
02/12/07 EMA Review, read reply brief.	245.00	0.40	98.00
07/16/07 EMA Read Judge's Summary Judgment Order; discuss with ALP & WJA; Telephone conference with client regarding same.	245.00	2.00	490.00
WJA Review order on summary judgement; Conference with EMA regarding pretrial order	290.00	0.80	232.00
07/18/07 ALP Review Summary Judgment Order.	375.00	0.40	150.00
07/30/07 EMA Review Defendant's response.	245.00	0.50	122.50
07/31/07 WJA Review Notice of Appeal and Brief; Discuss same with EMA	290.00	0.50	145.00
08/06/07 ALP Review petition for permission to appeal; conference with Atkins and revise.	375.00	0.30	112.50
08/27/07 EMA Telephone conference with Judge's clerk regarding 1292 Motion.	245.00	0.30	73.50

Tuggle, George

Page: 9

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
08/28/07 WJA Review District Court Order denying Petition to Appeal; Draft Motion to Dismiss	290.00	3.00	870.00
WJA Follow up Sam Cassells' attorney, Debbie Schwartz, regarding interviewing for Tuggle matter	290.00	0.20	58.00
09/05/07 WJA Telephone conference with Lynn Wood regarding Motion to Stay, etc.	290.00	0.50	145.00
09/07/07 WJA Telephone conference with D. Schwartz from Sam Cassells	290.00	0.50	145.00
09/12/07 WJA Coordinate with AGH regarding rescheduling mediation	290.00	0.10	29.00
09/14/07 WJA Brief in Opposition to Defendants' Petition to Appeal	290.00	0.80	232.00
09/17/07 WJA Brief in Opposition to Petition to Appeal	290.00	3.00	870.00
WJA Finalize and file Brief in Opposition to Defendants' Petition to Appeal	290.00	1.00	290.00
09/20/07 WJA Review District Court Order dismissing appeal	290.00	0.20	58.00
09/28/07 WJA Review Order on Motion to Appeal	290.00	0.20	58.00
10/03/07 EMA Telephone conference with District Court re: procedural posture.	245.00	1.30	318.50
10/19/07 WJA Review Order from Judge Evans regarding petition for review	290.00	0.30	87.00
12/05/07 ALP Review defendants' Eleventh Circuit brief.	375.00	0.80	300.00
01/03/08 WJA Research issues for Eleventh Circuit brief; Begin work on brief	290.00	2.50	725.00
01/05/08 WJA Brief to Eleventh Circuit Court of Appeals	290.00	2.50	725.00
01/06/08 WJA Research filing deadline for Motion of Appeal as Jurisdiction Q	290.00	1.00	290.00
01/07/08 WJA Secure extension of time for filing of Brief in Eleventh Circuit; Letter to clerk regarding same	290.00	0.50	145.00
01/09/08 WJA Research Brief to Eleventh Circuit Court of Appeals	290.00	1.50	435.00
01/10/08 WJA Brief to Eleventh Circuit Court of Appeals	290.00	3.50	1,015.00
01/11/08 WJA Draft Brief of the Appellant	290.00	6.50	1,885.00
01/12/08 WJA Draft Brief of Appellant	290.00	12.50	3,625.00
01/13/08 WJA Draft Brief of Appellant	290.00	13.50	3,915.00

Tuggle, George

Page: 10

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

	Rate	Hours	
01/14/08 EMA Edit 11th Circuit brief.	245.00	1.20	294.00
WJA Draft Brief of Appellant	290.00	10.50	3,045.00
01/15/08 WJA Review Brief and confirm timely filing and receipt by Eleventh Circuit Court of Appeals and opposing counsel	290.00	1.50	435.00
03/03/08 EMA Return call to client.	245.00	0.40	98.00
08/05/08 ALP Review bill; email regarding fees.	375.00	0.30	112.50
09/29/08 ALP Telephone conference with WJA re: verdict and fee petition.	375.00	0.40	150.00
09/30/08 ALP Prepare affidavit for fee petition.	375.00	1.00	375.00
ALP Review Virdi order and briefs for use in preparation of fee petition.	375.00	0.60	225.00
For Current Services Rendered		300.10	79,933.00

Recapitulation

Timekeeper	Hours	Rate	Total
A. Lee Parks, Jr.	12.80	\$375.00	\$4,800.00
William J. Atkins	150.90	290.00	43,761.00
Steven E. Wolfe	0.80	225.00	180.00
Eleanor M. Attwood	121.60	245.00	29,792.00
Jacqueline J. Davis	14.00	100.00	1,400.00

Expenses

Postage	26.31
Facsimile Charges	59.00
Total Expenses Thru 10/01/08	85.31

Advances

01/03/06	Courier & Delivery Service - Georgia Messenger Service, Inc.	34.93
01/03/06	Courier & Delivery Service - Georgia Messenger Service, Inc.	34.93
01/05/06	Outside Reproduction Costs Clayton County Sheriff's Office	27.86
02/10/06	Filing & Service Fees Clerk, United States District Court.	250.00
03/07/06	Process Service DLS, Inc.	144.00
03/15/06	Process Service DLS, Inc.	25.00
03/29/06	Document Copies - Intellius.com	8.95
06/09/06	Courier & Delivery Service - Georgia Messenger Service, Inc.	9.45
07/19/06	Courier & Delivery Service - Ga. Messenger Service	15.99
07/20/06	Document Copies - Clayton County Police Department	76.60
10/13/06	Courier & Delivery Service - Georgia Messenger Service	38.03
10/16/06	Court Reporter - Brown Reporting, Inc.	336.00
10/16/06	Court Reporter - American Court Reporting Company, Inc.	267.00
10/24/06	Process Service DLS, Inc.	267.00
11/01/06	Medical Record Copies Gwinnett Consultants in Cardiology, P.C	28.25
11/07/06	Court Reporter - Brown Reporting, Inc.	1,189.66
11/15/06	Court Reporter - Legal Technology Services	582.50
11/15/06	Court Reporter - Brown Reporting, Inc.	287.55
11/15/06	Court Reporter - Brown Reporting, Inc.	266.30

Tuggle, George

Page: 11

October 01, 2008

Client No. 3633-053633C

Statement No. 156931

George Mark Tuggle v. Clayton County, et al.

08/01/07	Medical Record Copies Smart Document Solutions, LLC	122.66
09/30/07	Court Reporter - Legal Technology Services	392.50
01/29/08	Outside Reproduction Costs Merrill Communciations, LLC	461.48
	Total Advances	<u>4,866.64</u>
	Total Current Work	84,884.95
	Balance Due	<u><u>\$84,884.95</u></u>